

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CHELSIE NITSCHKE and  
CYNTHIA GEORGE,

Plaintiffs,

BLUE HILLS HOLDINGS, LLC,  
BNA INVESTMENTS, GP,  
BACAR CONSTRUCTORS, INC., and  
906 STUDIO, PLLC,

Defendants.

Case No.: 3:24-cv-00218

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**BLUE HILLS HOLDINGS, LLC'S MOTION FOR SUMMARY JUDGMENT**

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Comes now Blue Hills Holdings, LLC, by and through counsel, and pursuant to Fed. R. Civ. P. 10(c) and 56, hereby moves for summary judgment.

In support of this Motion, Blue Hills Holdings adopts by reference the facts, law, and argument submitted by Bacar Constructors' Motion for Summary Judgment and supporting documents. More specifically, Blue Hills Holdings adopts by reference Bacar Constructors, Inc.'s Motion for Summary Judgment [doc. 40]; Bacar Constructors, Inc.'s Memorandum of Law in Support of Motion for Summary Judgment [doc. 41]; and, Bacar Constructors, Inc.'s Statement of Undisputed Material Facts in Support of Motion for Summary Judgment, including all exhibits [doc. 42]. Blue Hills Holdings adopts by reference and repeats here verbatim the facts, law, and argument contained in the aforementioned documents filed by Bacar Constructors.

Blue Hills Holdings respectfully submits that the undisputed facts applied to the law entitle it to judgment as a matter of law, since Plaintiffs' claims against Defendants were filed outside of the applicable statute of limitations.

WHEREFORE, PREMISES CONSIDERED, Blue Hills Holdings, LLC prays that this Court grant summary judgment in its favor, dismiss with prejudice Plaintiffs' suit against it, make an award of costs and fees, and grant this Defendant any and all other general relief to which it is entitled under these premises.

By: /s/ Brian F. Walthart

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of January, 2025, I electronically filed the foregoing **Motion** with the Clerk of the Court using the electronic filing system which will send notification of such filing to the parties below. The parties below were also served via electronic mail.:

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